

343 Meadowbrook Lane  
South Orange, NJ 07079  
December 27, 2007

Re: WWOR-TV – Docket Number 07-260

To the Honorable Commissioners of the Federal Communications Commission:

As a resident of New Jersey for over 65 years, who has watched every incarnation of Channel 9 since it first came on the air in the forties, I think it is time for a change in ownership at WWOR-TV. The license held by Fox to operate TV station WWOR should **not** be renewed.

Fox has not met its unique statutory obligation to New Jersey:

In 1982 Congress passed 47 U.S.C.A. 331 to provide New Jersey with an operating VHF station having studios and offices in New Jersey and serving and benefiting the people of New Jersey, not with a station merely assigned to New Jersey or one acting as a New Jersey station in name only. It was passed in response to complaints about incomplete coverage of local New Jersey events and to a situation where half the state learned about New Jersey from the perspective of New York and half saw New Jersey from the eyes of Philadelphia. This is all clearly set out in Multi-State Communication v. Federal Communications Commission, 728 F.2d 1519 (D.C. Cir. 3/6/1984).

Unfortunately, after 25 years the goals of the 1982 legislation are still unfulfilled. Fox has deliberately downplayed its connection to New Jersey over the past six years to maximize its New York audience. Fox shouldn't be rewarded for merely paying lip service to its statutory obligation to New Jersey.

From branding to news, WWOR-TV has acted like a New York station. Documents filed with the FCC show WWOR-TV has more news coverage of events in New York State than of events in New Jersey. Even after some modifications, its website still downplays any New Jersey connection. On December 27, 2007 the website list of news stories contains only one from New Jersey out of twenty-two. Compare all this with stations in other parts of the country that proudly tell you they are the voice of Los Angeles or of Miami or of Chicago. And, how many stations around the country draw a substantial portion of their local news stories from an adjoining state?

WWOR-TV might have lost some audience and consequently some operating revenue if it had regularly acknowledged its New Jersey roots and met its obligations to the state. That is no reason for the FCC to forgive Fox's failure to adequately serve and benefit the people of New Jersey. It bought the station knowing the license had been transferred to New Jersey and the history of that transfer, and should have factored that into its financial plan.

In light of the unique statutory mandates accompanying the license, a licensee of WWOR-TV should be held to the following specific requirements:

1. New Jersey News. At the very least there should be significantly more local New Jersey news than on the five New York commercial VHF stations. WWOR-TV's coverage of New Jersey local news now doesn't differ much from that of the five New York stations. If there is a sensational New Jersey story they all cover it. If the story doesn't involve some heinous crime or human tragedy, usually no one covers it. At the very least, the FCC should expect an hour long newscast on WWOR-TV to devote as much time to New Jersey news, as an hour news show on WNYW-TV or WPIX-TV devotes to New York news. NJ Public television manages to find 22 minutes of local New Jersey news a day on a much smaller budget than a commercial station would have, and perhaps that should be the standard for the amount of local coverage.

2. Issues of Importance to New Jersey Residents. New Jersey issues as well as events should be covered. Currently WWOR-TV has two public affairs half hours each week and a few special issue oriented programs during the year. A commercial station can't be expected to operate like public television, but an average of a little over an hour a week seems skimpy. Also, while most of the issues discussed over the year seem worthwhile and of importance to New Jersey residents, a substantial number aren't New Jersey focused. The licensee should give preference to discussions of New Jersey specific issues over subjects likely to also be discussed over other outlets. For example, as important as discussions of heart disease are, they duplicate what is available elsewhere, whereas only a New Jersey station is likely to examine the dire financial plight of some New Jersey hospitals.

3. Coverage of World, National and Regional Events. World, national and regional news stories should generally be covered only if they are clearly of importance to a substantial number of residents of New Jersey, stories like the transit strike in New York City that impacted New Jersey commuters or the surge in Iraq. Out-of-state stories of only passing interest to most New Jersey residents are sufficiently covered by the other broadcast and cable channels reaching into our state, and so a licensee should be penalized if it routinely squeezes out stories about New Jersey in favor of generic out-of-state human interest and crime stories.

4. Public service. As much as possible, the licensee's public service announcements and charitable endeavors should also be New Jersey focused.

5. Reach. To the extent technically and economically feasible, the licensee should try to extend its reach as deep into New Jersey as possible -- perhaps over the air by affiliation with a NJ UHF station, or by cable -- and to expand its news coverage correspondingly.

6. Operations. Most of the studios, administrative offices, personnel and assets of a New Jersey TV station should be in New Jersey.

In view of the licensee's unique obligation and since it controls most of the information, the burden of showing it has met these requirements should be on the licensee.

Even if the FCC accepts Fox's limited interpretation of its obligation to New Jersey its license should not be renewed. Through its filings and actions Fox is taking the position that its responsibility is to balance the interests of the residents of New Jersey against the interests of all of the other people within the reach of its broadcast signal. The filings and comments in this matter, some provided by Fox itself, show that Fox has given too little weight to the fact that its license is allocated to New Jersey, and has tilted too much in favor of the residents of New York State.

Even if the FCC determines Fox has met its obligation to New Jersey, it should deny the license renewal. My understanding is News Corp. has operated both WWOR-TV and the New York Post for stretches of time without an FCC waiver. If so, that alone should disqualify it from a renewal. Moreover Fox has abused the privilege of operating two TV channels in the New York metropolitan area by essentially strip-mining Channel 9 in favor of Channel 5. WWOR-TV offers little original programming of any kind and no cultural or children's programming.

Sincerely,

David A. Belasco